

**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DNA ENCODING MUTATED COLLAGEN X

the specification of which:
(check one)

_____ is attached hereto.

X was filed on 09/975,607

Application Serial No. October 10, 2001

and was amended by _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)**Priority Claimed**

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u>	<u>No</u>	<u>Status</u>
<u>99973696.0</u>	<u>EPO</u>	<u>October 8, 1999</u>	<u>X</u>	<u> </u>	<u>Pending</u>
<u>PCT/IB00/02129</u>	<u>IB</u>	<u>October 8, 1999</u>	<u>X</u>	<u> </u>	<u>Pending</u>
_____	_____	_____	<u> </u>	<u> </u>	_____

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States Provisional Application(s) listed below:

Application Serial No.Filing Date

60/103,550

October 8, 1998

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>09/415,551</u>	<u>October 8, 1999</u>	<u>Issued as U.S. Patent No. 6,369,295</u>
_____	_____	_____
_____	_____	_____

And I hereby appoint **Robert D. Katz** (Reg. No. 30141); **Paul Teng** (Reg. No. 40837); **Ivan S. Kavrukov** (Reg. No. 25161); **Christopher C. Dunham** (Reg. No. 22031); **Norman H. Zivin** (Reg. No. 25385); **John P. White** (Reg. No. 28678); **Peter J. Phillips** (Reg. No. 29691); and **Richard F. Jaworski** (Reg. No. 33515), and each of them, all c/o Cooper & Dunham LLP of 1185 Avenue of the Americas, New York, New York 10036 (Tel. 212-278-0400), my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected herewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to:

Robert D. Katz Reg. No. 30,141

Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of

first joint inventor Kathryn S. E. CHEAH

Inventor's signature 

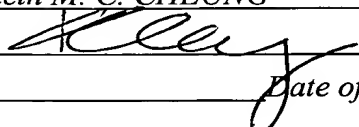
Citizenship Malaysian Date of signature 19/4/04

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Full name of

joint inventor Kenneth M. C. CHEUNG

Inventor's signature 

Citizenship British

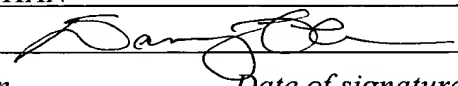
Date of signature 22 Nov 2004

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Full name of

joint inventor Danny CHAN

Inventor's signature 

Citizenship Australian

Date of signature 18/11/2004

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PTO/SB/96 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Kathryn S.E. CheahApplication No./Patent No.: 09/1975,607 Filed/Issue Date: October 10 2001

Entitled:

The University of Hong Kong, a University
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010748, Frame 0533, or for which a copy thereof is attached.

OR

B ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

HAILSON YU
Signature
DEPUTY MANAGING DIRECTOR
Printed or Typed Name
Title

November 16 2004
Date
2299 0111
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.